

FORM 26. Docketing Statement

Form 26 (p. 1)
July 2020

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DOCKETING STATEMENT

Case Number: 22-1972, 22-1973, 22-1975, 22-1976

Short Case Caption: Masimo Corporation v. Apple Inc.

Filing Party/Entity: Apple Inc.

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
see attached	see attached	see attached

Relief sought on appeal: ☐ None/Not Applicable

Affirm the Final Written Decisions holding claims 1-30 of U.S. Patent 10,624,564 unpatentable; claims 1-30 of U.S. Patent 10,702,194 unpatentable; claims 1-17 of U.S. Patent 10,702,195 unpatentable; and claims 1-27 of U.S. Patent 10,709,366 unpatentable.

Relief awarded below (if damages, specify): ☒ None/Not Applicable

None/Not Applicable

Briefly describe the judgment/order appealed from:

In its Final Written Decisions, the Board found claims 1-30 of U.S. Patent 10,624,564 unpatentable; claims 1-30 of U.S. Patent 10,702,194 unpatentable; claims 1-17 of U.S. Patent 10,702,195 unpatentable; and claims 1-27 of U.S. Patent 10,709,366 unpatentable.

Nature of judgment (select one):

Date of judgment: see attached

☒ Final Judgment, 28 USC § 1295

☐ Rule 54(b)

☐ Interlocutory Order (specify type) _____

☒ Other (explain) see attached

FORM 26. Docketing Statement

Form 26 (p. 2)
July 2020

Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

None/Not Applicable

Issues to be raised on appeal: ☐ None/Not Applicable

Whether the Board correctly concluded that the challenged claims 1-30 of U.S. Patent 10,624,564; claims 1-30 of U.S. Patent 10,702,194; claims 1-17 of U.S. Patent 10,702,195; and claims 1-27 of U.S. Patent 10,709,366 were unpatentable.

Have there been discussions with other parties relating to settlement of this case?

☐ Yes ☒ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
- ☐ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

N/A

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

Settlement will not give appellant Masimo Corporation the relief it seeks on appeal, which is the overturning of the Board's decisions to cancel claims 1-30 of U.S. Patent 10,624,564; claims 1-30 of U.S. Patent 10,702,194; claims 1-17 of U.S. Patent 10,702,195; and claims 1-27 of U.S. Patent 10,709,366.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

None

Date: 7/12/2022 Signature: /s/ Lauren A. Degnan

Name: Lauren A. Degnan

Attachment for Docketing Statement

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Short Case Caption: Masimo Corporation v. Apple Inc.
Filing Party/Entity: Apple Inc.

Case Origin	Originating Number	Type of Case
USPTO	IPR2020-1713	<i>Inter Partes</i> Review
USPTO	IPR2020-01716	<i>Inter Partes</i> Review
USPTO	IPR2020-01733	<i>Inter Partes</i> Review
USPTO	IPR2020-01737	<i>Inter Partes</i> Review

Nature and date of judgment (con't):

Originating Number	Nature of Judgment	Date of Judgment
IPR2020-01713	Final Judgment, 28 U.S.C. § 1295	May 2, 2022
IPR2020-01716	Final Judgment, 28 U.S.C. § 1295	April 28, 2022
IPR2020-01733	Final Judgment, 28 U.S.C. § 1295	April 28, 2022
IPR2020-01737	Final Judgment, 28 U.S.C. § 1295	May 4, 2022